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The Benchmark Company, LLC

15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA

17 BENCHMARK CAPITAL HOLDINGS CO.,
18 LLC,

19 Plaintiff,

20 vs.

21 THE BENCHMARK COMPANY, LLC

22 Defendant.

CASE NO. 3:11-cv-04883-RS

**STIPULATION AND [PROPOSED]
ORDER FOR EXTENDING MOTION TO
DISMISS BRIEFING SCHEDULE**

1 Plaintiff Benchmark Capital Holdings Co., LLC, and Defendant The Benchmark
2 Company, LLC jointly stipulate, through their counsel of record and subject to court approval, as
3 follows:
4

5 WHEREAS,

- 6 1. Defendant on November 17, 2011, filed a Motion to Dismiss the First Amended
7 Complaint, with the hearing on that motion scheduled for January 5, 2012;
- 8 2. Along with the Motion to Dismiss, Defendant also filed an accompanying Request for
9 Judicial Notice and Declaration of Jillian A. Lazar (Lazar Declaration) on November
10 17, 2011;
- 11 3. Plaintiff's opposition to the Motion to Dismiss, and any objections or other responses to
12 the Request for Judicial Notice and the Lazar Declaration, are due on December 1,
13 2011;
- 14 4. Defendant's reply to Plaintiff's opposition to the Motion to Dismiss is due on December
15 8, 2011;
- 16 5. Defendant agrees to extend the time for Plaintiff to respond to the Motion to Dismiss,
17 the Request for Judicial Notice and the Lazar Declaration until December 5, 2011;
- 18 6. Plaintiff accordingly agrees to extend the time for Defendant to reply to Plaintiff's
19 opposition until December 12, 2011;

20 NOW, THEREFORE, the parties stipulate, through their undersigned counsel, that:

- 21 1. The deadline for Plaintiff to respond to the Motion to Dismiss, the Request for Judicial
22 Notice and the Lazar Declaration is December 5, 2011.
- 23 2. The deadline for Defendant to file its reply papers to Plaintiff's responsive papers is
24 December 12, 2011.

1 DATED: November 28, 2011

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

2
3 By /s/

4 Diane Doolittle
5 Attorneys for Plaintiff
Benchmark Capital Holdings Co., LLC

6 DATED: November 28, 2011

GORDON & REES LLP

7
8 By /s/

9 Gordon I. Endow
10 Attorneys for Defendant
The Benchmark Company, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BENCHMARK CAPITAL HOLDINGS CO.,
LLC,

Plaintiff,

vs.

THE BENCHMARK COMPANY, LLC

Defendant.

CASE NO. 3:11-cv-04883-RS

**[PROPOSED] ORDER GRANTING STIPULATION FOR EXTENDING MOTION TO
DISMISS BRIEFING SCHEDULE**


CAME FOR CONSIDERATION the Joint Stipulation For Extending Motion to Dismiss
Briefing Schedule. After consideration, the Court orders the Stipulation to be GRANTED.

1. The deadline for Plaintiff to respond to Defendant's Motion to Dismiss, Request
for Judicial Notice and Declaration of Jillian A. Lazar is December 5, 2011.

2. The deadline for Defendant to file its reply papers to Plaintiff's responsive papers
is December 12, 2011.

IT IS SO ORDERED.

DATED: 11/29, 2011



Hon. Richard Seeborg
United State District Judge